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VIA ELECTRONIC CASE FILING

Hon. Vera M. Scanlon, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Hamilton v. City of New York et. al., 15-CV-4574 (CBA) (VMS)

Your Honor:

I respectfully write in response to the City's motion to compel production of financial records concerning income received by Mr. Hamilton from the Novo Law Firm during 2014-2016 (Doc. 68).

Plaintiff does not object to an order compelling production of these records to the extent that they exist. Nor does plaintiff object to producing an affidavit, in the form requested at pages 1-2 of the City's motion, to the extent that any responsive records cannot be produced. However, plaintiff submits that the July 21, 2017 date requested by the City is not practical and that this Court should instead allow at least thirty (30) days for production thereof.

I have communicated with the Novo Law Firm a number of times regarding these records and, after the City's motion was made, I contacted them again to learn more about the reason for the delay. I was informed by Ilya Novofastovsky, Esq., that there is no single "Derrick Hamilton file" that contains all the relevant expenses in one place. Instead, the records for expenses on each case are kept in the file for that case. It has thus been necessary for the Novo firm to go through the files painstakingly and attempt to reconstruct Mr. Hamilton's expenses during the relevant period. He also needs to consult with Mr. Hamilton regarding some of the case records to determine which expenses are his.

I note that the records in question relate to a very peripheral part of the case, namely Mr. Hamilton's *post-incarceration* earnings. It is not urgent that these records be produced immediately. Thus, it is respectfully submitted that 30 days would be a reasonable time for the

Novo firm to complete review of its case files and produce such records as it finds.

The Court's consideration in this matter is appreciated.

Respectfully submitted,

/s/ Jonathan I. Edelstein

Jonathan I. Edelstein

cc: All Counsel (Via ECF)